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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/705,844

11/13/2003

Toshiyuki Mitsubori

011350-325

4885

21839

7590

09/19/2008

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EXAMINER

RODRIGUEZ, LENNIN R

ART UNIT

PAPER NUMBER

2625

NOTIFICATION DATE

DELIVERY MODE

09/19/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/705,844	<b>Applicant(s)</b> MITSUBORI, TOSHIYUKI	
	<b>Examiner</b> LENNIN R. RODRIGUEZ	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,4,5,7,8,10-12,14 and 18-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,7,8,10-12,14 and 18-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                      |                                                                   |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____                                                          | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/15/2008 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1, 3-5, 7-8, 10-12, 14 and 16 have been considered but are moot in view of the new ground(s) of rejection. Applicant's newly added limitations such as "wherein the printing job includes (a) a single default setup command for modifying multiple items of a default setup for the printing device, (b) a print condition instruction used for executing the printing job" require further search, therefore new grounds of rejection.

### ***Claim Objections***

3. Claim 4 and 10-11 are objected to because of the following informalities:  
(1) line 3, "**the** printing device" should be -- **a** printing device --;

(2) claims 10-11 are depending on claim 9, which is a cancelled claim, examiner suggest changing the dependency to claim 8.

Appropriate correction is required.

### ***Double Patenting***

4. Claim 8 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 4. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

### ***Claim Rejections - 35 USC § 103***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 1, 4-5, 7-8, 10-12, 14 and 18-22 rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagiri et al. (US 6,616,359) in view of Brown et al. (US 6,246,485) and Shima et al. (US 6,104,498).

(1) regarding claims 1, 5 and 12:

Nakagiri '359 discloses a printing device (1500 in Fig. 1) comprising:

a printing job receiving unit for receiving a printing job (118 in Fig. 1, where all the communication from the host is received by the input unit), wherein the printing job includes (a) a single default setup command for modifying multiple items of a default

Art Unit: 2625

setup for the printing device (column 16, lines 32-41, where the field 1002 contains instruction for modifying the default setup), (b) a print condition instruction used for executing the printing job (column 15, lines 24-35, where the printing job includes a print start request instruction);

Nakagiri '359 discloses all the subject matter as described above except a command analyzing unit for analyzing whether the received printing job includes the single default setup command; and

a default setup modifying unit for modifying the multiple items of the default setup to a modified multiple items of the default setup based on the single default setup command when the single default setup command is included in the printing job;

However, Brown '485 teaches a command analyzing unit (34 in Fig. 2, 62 in Fig. 3, interpreter) for analyzing whether the received printing job includes the single default setup command (column 5, lines 28-45, where it analyzes the request for change of configuration); and

a default setup modifying unit (34 in Fig. 2, 54 in Fig. 3, NPAP) for modifying the multiple items of the default setup to a modified multiple items of the default setup based on the single default setup command when the single default setup command is included in the printing job (column 10, lines 14-41, where the device controller make the respective modifications to the device configuration);

Having a system of Nakagiri '359 reference and then given the well-established teaching of Brown '485 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the printing device of

Art Unit: 2625

Nakagiri '359 to include a command analyzing unit for analyzing whether the received printing job includes the single default setup command, and a default setup modifying unit for modifying the multiple items of the default setup to a modified multiple items of the default setup based on the single default setup command when the single default setup command is included in the printing job as taught by Brown '485 because it allows for the remote setting of printer configuration variables and monitoring of the printer that is independent of a printer control panel and a printer communication system that efficiently allows a host computer to be aware of font and symbol sets available on a printer (column 2, lines 46-54).

Nakagiri '359 and Brown '485 disclose all the subject matter as describe above except wherein the printing job includes (c) test print image data; and

a printing unit for printing the test print image data included in the printing job.

However, Shima '498 teaches wherein the printing job includes (c) test print image data (column 14, lines 5-18, where the print job includes test print information); and

a printing unit (3 in Fig. 1) for printing the test print image data included in the printing job (column 14, lines 5-18, where the test page is being printed).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made wherein the printing job includes (c) test print image data; and a printing unit for printing the test print image data included in the printing job as taught by Shima '498 in the system of Yuichi '012. With this, the system will have a way to proof

Art Unit: 2625

the functionalities of the printing device, thus preventing errors when using the printing device to print some jobs or documents.

(2) regarding claim 4:

Nakagiri '359 further discloses a printing job transmission device (3000 in Fig. 1) comprising:

a default setup inputting unit for inputting multiple items of a default setup for the printing device (column 4, lines 32-36, where the user can set the printer setup by means of a window that allows him to select the options as shown in Figs. 8 and 9);

a printing job preparation unit for preparing a printing job (CPU 101 and column 3, lines 66-67 and column 4, lines 1-5) including (a) a single default setup command used for modifying multiple items of the default setup for the printing device to multiple contents entered by the default setup inputting unit (column 16, lines 32-41, where the field 1002 contains instruction for modifying the default setup), (b) a print condition instruction used for executing the printing job (column 15, lines 24-35, where the printing job includes a print start request instruction),

Nakagiri '359 and Brown '485 disclose all the subject matter as describe above except a printing job including (c) test print image data; and

a printing job transmission unit for transmitting the printing job to the printing unit.

However, Shima '498 teaches a printing job including (c) test print image data (column 14, lines 5-18, where the print job includes test print information); and

a printing job transmission unit for transmitting the printing job to the printing unit (system spooler 204 in Fig. 3).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a printing job including (c) test print image data, and a printing job transmission unit for transmitting the printing job to the printing unit as taught by Shima '498 in the system of Yuichi '012. With this, the system will have a way to proof the functionalities of the printing device, thus preventing errors when using the printing device to print some jobs or documents.

(3) regarding claim 8:

Nakagiri '359 further discloses a printing job transmission device (3000 in Fig. 1) comprising:

a default setup inputting unit for inputting multiple items of a default setup for the printing device (column 4, lines 32-36, where the user can set the printer setup by means of a window that allows him to select the options as shown in Figs. 8 and 9);

a printing job preparation unit for preparing a printing job (CPU 101 and column 3, lines 66-67 and column 4, lines 1-5) including (a) a single default setup command used for modifying multiple items of the default setup for the printing device to multiple contents entered by the default setup inputting unit (column 16, lines 32-41, where the field 1002 contains instruction for modifying the default setup), (b) a print condition instruction used for executing the printing job (column 15, lines 24-35, where the printing job includes a print start request instruction),

Nakagiri '359 and Brown '485 disclose all the subject matter as describe above except a printing job including (c) test print image data;



However, Shima '498 teaches a printing job including (c) test print image data (column 14, lines 5-18, where the print job includes test print information);

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a printing job including (c) test print image data as taught by Shima '498 in the system of Yuichi '012. With this, the system will have a way to proof the functionalities of the printing device, thus preventing errors when using the printing device to print some jobs or documents.

(4) regarding claims 10, 18, 20 and 22:

Nakagiri '359 and Brown '485 disclose all the subject matter as describe above except wherein the printing unit prints the test print image data according to the modified default setup.

However, Shima '498 teaches wherein the printing unit prints the test print image data according to the modified default setup (column 14, lines 5-18, where it prints a test page with the default setting to test whether or not its OK).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to wherein the printing unit prints the test print image data according to the modified default setup as taught by Shima '498 in the system of Yuichi '012. With this, the system will have a way to proof the functionalities of the printing device, thus preventing errors when using the printing device to print some jobs or documents.

(5) regarding claim 21:

Nakagiri '359 further discloses a printing system (Fig. 1) comprising a printing device (1500 in Fig. 1) and a printing job transmission device (3000 in Fig. 1), which are connected so as to communicate with each other (121 in Fig. 1); wherein

said printing job transmission device comprising:

a default setup inputting unit for inputting multiple items of a default setup for the printing device (column 4, lines 32-36, where the user can set the printer setup by means of a window that allows him to select the options as shown in Figs. 8 and 9); and

said printing device comprising:

a printing job preparation unit for preparing a printing job (CPU 101 and column 3, lines 66-67 and column 4, lines 1-5) including (a) a single default setup command used for modifying multiple items of the default setup for the printing device to multiple contents entered by the default setup inputting unit (column 16, lines 32-41, where the field 1002 contains instruction for modifying the default setup), (b) a print condition instruction used for executing the printing job (column 15, lines 24-35, where the printing job includes a print start request instruction);

Nakagiri '359 discloses all the subject matter as described above except said printing device comprising:

a command analyzing unit for analyzing whether the received printing job includes the single default setup command; and

a default setup modifying unit for modifying the multiple items of the default setup to a modified multiple items of the default setup based on the single default setup command when the single default setup command is included in the printing job;

However, Brown '485 teaches said printing device comprising:

a command analyzing unit (34 in Fig. 2, 62 in Fig. 3, interpreter) for analyzing whether the received printing job includes the single default setup command (column 5, lines 28-45, where it analyzes the request for change of configuration); and

a default setup modifying unit (34 in Fig. 2, 54 in Fig. 3, NPAP) for modifying the multiple items of the default setup to a modified multiple items of the default setup based on the single default setup command when the single default setup command is included in the printing job (column 10, lines 14-41, where the device controller make the respective modifications to the device configuration);

Having a system of Nakagiri '359 reference and then given the well-established teaching of Brown '485 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the printing device of Nakagiri '359 to include a command analyzing unit for analyzing whether the received printing job includes the single default setup command, and a default setup modifying unit for modifying the multiple items of the default setup to a modified multiple items of the default setup based on the single default setup command when the single default setup command is included in the printing job as taught by Brown '485 because it allows for the remote setting of printer configuration variables and monitoring of the printer that is independent of a printer control panel and a printer communication system that efficiently allows a host computer to be aware of font and symbol sets available on a printer (column 2, lines 46-54).

Nakagiri '359 and Brown '485 disclose all the subject matter as describe above except a printing job including (c) test print image data; and

a printing job transmission unit for transmitting the printing job to the printing unit;  
and

said printing device comprising:

a printing unit for printing the test print image data included in the printing job.

However, Shima '498 teaches a printing job including (c) test print image data (column 14, lines 5-18, where the print job includes test print information); and

a printing job transmission unit for transmitting the printing job to the printing unit (system spooler 204 in Fig. 3); and

said printing device comprising:

a printing unit (3 in Fig. 1) for printing the test print image data included in the printing job (column 14, lines 5-18, where the test page is being printed).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a printing job including (c) test print image data, and a printing job transmission unit for transmitting the printing job to the printing unit as taught by Shima '498 in the system of Yuichi '012. With this, the system will have a way to proof the functionalities of the printing device, thus preventing errors when using the printing device to print some jobs or documents.

7. Claims 7, 11, 14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagiri et al. (US 6,616,359), Brown et al. (US 6,246,485) and Shima et al. (US 6,104,498) in view of Iguchi (US Patent 6,963,414).

Nakagiri '359, Brown '485 and Shima '498 disclose all the subject matter as described above except wherein said printing unit prints the contents of the default setup modified by said default setup modifying unit.

However, Iguchi '414 teaches wherein said printing unit prints the contents of the default setup modified by said default setup modifying unit (column 1, lines 12-26, where the status print is printing a list of various settings).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made that said printing unit prints the contents of the default setup modified by said default setup modifying unit as taught by Iguchi '414, in the system of Nakagiri '359, Brown '485 and Shima '498. This is used by a user, developer or person in charge of maintenance to check the set items of the printing apparatus and to perform test printing (column 1, lines 12-26).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LENNIN R. RODRIGUEZ whose telephone number is (571)270-1678. The examiner can normally be reached on Monday - Thursday 7:30am - 6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/

Supervisory Patent Examiner, Art Unit 2625

/Lennin R Rodriguez/

Examiner, Art Unit 2625